

former literary giants, is I ask the House to pass this legislation.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from California (Mr. CALVERT) that the House suspend the rules and pass the Senate bill, S. 1296.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

ALLOWING LEASE OR TRANSFER OF LAND OWNED BY COUSHATTA TRIBE OF LOUISIANA

Mr. CALVERT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5398) to provide that land which is owned by the Coshatta Tribe of Louisiana but which is not held in trust by the United States for the Tribe may be leased or transferred by the Tribe without further approval by the United States.

The Clerk read as follows:

H.R. 5398

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. APPROVAL NOT REQUIRED TO VALIDATE LAND TRANSACTIONS.

(a) IN GENERAL.—Notwithstanding any other provision of law, without further approval, ratification, or authorization by the United States, the Coshatta Tribe of Louisiana, may lease, sell, convey, warrant, or otherwise transfer all or any part of the Tribe's interest in any real property that is not held in trust by the United States for the benefit of the Tribe.

(b) TRUST LAND NOT AFFECTED.—Nothing in this section is intended or shall be construed to—

(1) authorize the Coshatta Tribe of Louisiana to lease, sell, convey, warrant, or otherwise transfer all or any part of an interest in any real property that is held in trust by the United States for the benefit of the Tribe; or

(2) affect the operation of any law governing leasing, selling, conveying, warranting, or otherwise transferring any interest in such trust land.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. CALVERT) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 5398, legislation which will allow the Coshatta Tribe of Louisiana to sell, lease, or otherwise transfer its interest in any real property which is not held in trust by the United States. This bill is necessary because Federal law limits a tribe's authority to sell

land which it owns, even though that land is not held in trust.

I urge support for this bill.

Madam Speaker, I reserve the balance of my time.

Mr. UDALL of New Mexico. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, first let me thank the gentleman from Louisiana (Mr. JOHN) for his dedication and leadership on this legislation.

This legislation would enable the Coshatta Tribe of Louisiana to transfer, sell, or lease fee lands without further approval of the United States. In addition to trust land held by the United States for the benefit of the tribe, the tribe also owns land outside the reservation system. This land, owned in fee status, is subject to State and local laws and taxes. Recently, however, there has been confusion with regard to the authority of the Coshatta Tribe in using these fee lands.

H.R. 5398 would help by alleviating this confusion over the tribe's authority regarding fee lands. This bill would not apply to lands held in trust by the United States, but would allow the tribe to pursue future economic development activities as it determines.

This legislation is good, just policy; and I urge my colleagues to support it.

Mr. JOHN. Madam Speaker, I rise today in support of H.R. 5398, which would provide that land, which is owned in fee by the Coshatta Indian Community in Louisiana and not held in trust by the United States, may be leased or transferred without further approval by the United States.

Existing federal law provides that Indian tribes may not lease, sell or otherwise convey land which they may have title to unless the conveyances are approved by Congress. This prohibition, enacted into law in 1834 to prevent the unfair or improper disposition of Indian-owned land, has been interpreted by the courts to apply even though the land was purchased by the tribes with their own money and even though the land is not held in trust by the federal government.

In 1834, this process made perfect sense. Today, however, this process has proven to be a major detriment to economic development for the Coshatta Tribe. It puts the tribe at a distinct disadvantage, because the tribe finds that it cannot develop or use land which it has acquired to its full advantage. H.R. 5398 will allow the Coshatta Tribe to use the fee land it has purchased just like any other landowner, without having to come to Congress any time it wants to sell, lease, or even mortgage that land.

In addition to the land owned by the tribe and held in trust by the U.S. Department of Interior, the Coshatta Tribe owns the fee land which is not held in trust. This fee land, while owned by the tribe, is subject to state and local laws and the tribe does not have the authority to conduct gaming activities on this land. As the Coshatta Tribe continues to work toward establishing long-term financial security for its members, they are finding it

necessary to have the ability to establish business agreements with non-Indian partners using the fee land to pursue future economic development activities, including the development of golf courses, business parks, and recreation and convention centers.

On February 29 of this year, this body granted the Lower Sioux Indian Community in Minnesota these same rights that I am seeking for the Coshatta Indian Community. Companion legislation, S. 2792, has been introduced in the U.S. Senate by Senator JOHN BREAUX of Louisiana. Locally, this legislation is supported by the Town of Elton and the Allen Parish Assessor.

The Coshatta Tribe has made significant progress in recent years to eliminate poverty and reduce reliance on government programs. By passing H.R. 5398, this Congress will further empower the Coshatta Tribe to empower themselves.

Madam Speaker, I thank the leadership for bringing this legislation to the floor today, and I encourage my colleagues to support H.R. 5398.

Mr. UDALL of New Mexico. Madam Speaker, I yield back the balance of my time.

Mr. CALVERT. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. CALVERT) that the House suspend the rules and pass the bill, H.R. 5398.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PROVIDING FOR CONCURRENCE BY HOUSE WITH AMENDMENT IN SENATE AMENDMENT TO H.R. 1444, FISHERIES RESTORATION AND IRRIGATION MITIGATION ACT OF 2000

Mr. CALVERT. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 630) providing for the concurrence by the House with an amendment in the Senate amendment to H.R. 1444.

The Clerk read as follows:

H. RES. 630

Resolved, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill, H.R. 1444, with the Senate amendments thereto, and to have concurred in the Senate amendment with the following amendments:

(1) Amend the title so as to read: "A bill to authorize the Secretary of the Interior to establish a program to plan, design, and construct fish screens, fish passage devices, and related features to mitigate impacts on fisheries associated with irrigation system water diversions by local governmental entities in the Pacific Ocean drainage of the States of Oregon, Washington, Montana, and Idaho."

(2) In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fisheries Restoration and Irrigation Mitigation Act of 2000".